

REMARKS

This is in response to the Office Action mailed on December 18, 2003, and the references cited therewith.

Claims 10-14, 17, 18, 20, 21, 28, 29, 33 and 40-42 are amended, no claims are canceled, and claims 43-45 are added; as a result, claims 10-22 and 28-45 are now pending in this application.

Claim Comments

New claims 43-45 have been added and are not believed to introduce new matter. The new claims distinguish the references for at least the same reasons as those of the amended independent claims (see below).

§102 Rejection of the Claims

Claims 10-22 and 28-42 were rejected under 35 USC § 102(e) as being anticipated by Williams et al. (US 5,945,988, hereinafter referred to as Williams). Applicant respectfully traverses these rejections because Williams does not anticipate the claimed invention, as set forth in the amended claims.

Amended independent claim 10 recites "A computer-readable medium containing computer instructions and data for carrying out the operations of: ... selecting one of said media input signals for presentation." The Office Action asserts that Williams' remote control performs the claimed "selecting." However, the Office Action has mischaracterized Williams. In Williams, a user performs the selection, while the remote control merely communicates the user selection. In contrast, the claimed "selecting" operation is performed by a method embodied on a computer-readable medium.

Additionally, amended independent claim 10 recites "transmitting said modified one media input signal to said presentation device." Applicant respectfully submits that Williams does not teach transmitting a modified media input signal to a presentation

device. Instead, Williams teaches modifying the media input signal after it is transmitted to the presentation device. Williams states "In one embodiment, input signals (e.g., channel/station changes, volume changes...) are input to system 100 via system controller 104, which in turn forwards control signals to the appropriate components to perform the desired function." (Emphasis added) (Williams at Col. 7, lines 65-67 and Col. 8, lines 1-2.) In other words, media input signal modifications such as channel/station changes, volume changes, etc., are made to the media input signal by the presentation device.

For at least the reasons discussed above, Applicant respectfully submits that the cited prior art does not teach each and every element of amended independent claim 10. As such, Applicant respectfully requests that the rejection be withdrawn.

Amended independent claim 14 recites limitations similar to those of amended independent claim 10. For the reasons discussed above (see discussion of claim 10), Applicant respectfully submits that the cited prior art does not teach each and every element of amended independent claim 14. As such, Applicant respectfully requests the rejection to be withdrawn.

Amended independent claim 28 recites "a switch for transmitting a selected one of a plurality of media signals to said output device in response to said selection command." The Office Action asserts that William's bus anticipates the claimed switch. However, the Office Action has mischaracterized Williams. The claimed switch "responds to a channel-control signal on line 174 for selecting one of the input signals and passing it to the appropriate system output devices 160." Application at page 7, lines 24-26. In contrast, Williams' I/O bus is merely a "means of routing input and output signals." (Emphasis added) Williams at Col. 3, Line 48. Alternatives to Williams' I/O bus are audio "patch" cables, coaxial cable, two-wire serial line, infrared (IR) communication signals and radio frequency (RF) communication signals. All of these are media used to communicate the input signals. Therefore, Williams does not teach the claimed switch.

For at least the reasons discussed above, Applicant respectfully submits that the cited prior art does not teach each and every element of amended independent claim 28. As such, Applicant respectfully requests that the rejection be withdrawn.

Amended independent claims 40, 41, and 42 recite limitations similar to those of amended independent claim 28.

For at least the reasons discussed above (see discussion of claim 28), Applicant respectfully submits that the cited prior art does not teach each and every element of amended independent claims 40, 41, and 42. As such, Applicant respectfully requests the rejections to be withdrawn.

Claims 11-13, 15-22, and 29-39 include all the limitations of the amended claims from which they depend. As such, Applicant respectfully submits that these dependent claims are allowable for the reasons discussed above plus the elements of the claims.

§103 Rejection of the Claims

Claim 30 was rejected under 35 USC § 103(a) as being unpatentable over Williams in view of Official Notice. In the Office Action, the Examiner took Official Notice that "operating systems run on microprocessors in a computer system for the purpose of managing a multitude of functions across a computer system (both graphical and I/O based)."

Dependent claim 30 includes all the limitations of amended independent claim 28. As noted above, Williams does not teach or suggest each and every element of amended independent claim 28. In particular, Williams does not teach or suggest a switch for transmitting a selected media signal to the presentation device. The Official Notice does not teach or suggest what Williams is lacking. As such, Applicant respectfully submits that the combination of Williams and Official Notice does not teach or suggest all the limitations of rejected. Applicant respectfully submits that claim 30 is patentable over the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

THEODORE D. WUGOFSKI ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6972

Date 4/19/04 By Andrew DeLizio
Andrew DeLizio
Reg. No. 52,806

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19th day of April, 2004.

Patricia A. Holtzman Patricia A. Holtzman
Name Signature